

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CHI CHEN, et al.,

Plaintiffs,

v.

U.S. BANK NATIONAL ASSOCIATION;  
QUARTZBURG GOLD, LP; ISR  
CAPITAL, LLC; IDAHO STATE  
REGIONAL CENTER, LLC; and SIMA  
MUROFF,

Defendants.

NO. 2:16-cv-01109-RSM

(Consolidated with No. 2:16-cv-01113-  
RSM)

**STIPULATED MOTION AND  
MODIFIED ORDER TO CONTINUE  
FIRST BELLWETHER TRIAL AND  
RELATED DEADLINES**

**STIPULATION**

Plaintiffs and Defendant U.S. Bank National Association (“U.S. Bank”) (collectively, the “Parties”), by and through their undersigned counsel, hereby stipulate and agree as follows:

1. The first bellwether trial in this case is currently scheduled to begin on September 14, 2020, pursuant to this Court’s Order Setting Trial Date and Related Dates (Dkt. #115) (“Case Schedule”), with the trial by jury of the claims of two Plaintiffs, Rui Mao and Tengyao Song, against U.S. Bank (these two Plaintiffs have dismissed their claims against the other defendants). The Parties have estimated a length of trial of 10-12 trial days.

2. In addition to preparing for this forthcoming first bellwether trial, the Parties have been engaged in settlement discussions. These ongoing settlement discussions have been productive and there is now the potential to resolve the claims asserted against U.S. Bank in this case. Additional time is needed to address each Plaintiff’s claims.

3. Accordingly, the Parties have stipulated and agreed to request the following relief from this Court:

a. A continuance of the first bellwether trial for at least 120 days, such that the first trial in this case will be set to begin no earlier than January 18, 2021 (or a subsequent date that is convenient to the Court);

b. A striking of all remaining pretrial deadlines associated with the first bellwether trial (including the existing deadlines under the Case Schedule for motions in limine, the pretrial order, trial briefs, proposed voir dire questions, jury instructions, neutral statement of the case, and trial exhibits, as well as all other pretrial deadlines set forth in the Local Civil Rules), with all such deadlines to be reset consistent with the Court’s standard schedule and the Local Civil Rules based on the new trial date for the first bellwether trial once set by the Court; and

c. A stay of any rulings on pending motions for at least 60 days, such that there will be no rulings by this Court before October 19, 2020, on the summary judgment motions currently pending in this case (Dkts. #285, #309, and #316).

4. The Parties stipulate and agree that there is good cause for seeking the requested relief on the grounds of efficiency for the Parties and the Court. The requested relief will accommodate and facilitate the Parties' ongoing settlement process, avoid the Parties incurring potentially unnecessary expenses, and avoid the Parties and the Court (and potential jurors) incurring potentially unnecessary burdens associated with the forthcoming September trial and related deadlines.

5. This Stipulation is without waiver of any party's right to seek further extensions or any other relief.

For these reasons, the Parties hereto stipulate and agree to, and respectfully and jointly request entry of, the Order set forth below.

Respectfully submitted this 17th day of August, 2020.

/s/ Shawn Larsen-Bright

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*Attorneys for Plaintiffs*

**ORDER**

Based upon the foregoing Stipulation, and for good cause shown, it is hereby ORDERED:

- a. The first bellwether trial date and pretrial deadlines are hereby STRICKEN.
- b. Given the above, the parties are to immediately inform the Court of settlement or otherwise file a joint status report **no later than 60 days** from the date of this Order.
- c. Unless the parties demonstrate a strong need for additional time to settle this case, the Court will then set the first bellwether trial for the next available date with sufficient time for pretrial motions to be heard.
- d. There will be no rulings by this Court before October 19, 2020, on the summary judgment motions currently pending in this case (Dkts. #285, #309, and #316).

IT IS SO ORDERED this 18<sup>th</sup> day of August, 2020.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE